

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA Title III

No. 17-BK-3283-LTS
(Jointly Administered)

DRIVETRAIN, LLC, in its capacity as the trustee of the
Commonwealth Avoidance Actions Trust,

Plaintiff,

v.

BARCLAYS CAPITAL, *et al.*,

Defendants.

Adv. Proc. No. 19-280-LTS

ORDER GRANTING MOTION TO REMOVE AND JOIN DEFENDANTS

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

This matter is before the Court on Drivetrain, LLC's (the "Trustee"²) *Motion to Remove and Join Defendants* (Dkt. No. 57) (the "Motion"). Taking note of the agreement among the parties and finding good cause for the requested relief, pursuant to Federal Rule of Civil Procedure 21³, the Court hereby ALLOWS the Motion as follows:

1. BMO Capital Markets Corp., Jefferies Group LLC, and Merrill, Lynch, Pierce, Fenner & Smith, Inc. are removed as defendants in this adversary proceeding.
2. BMO Capital Markets GKST Inc., Jefferies LLC, and Bank of America Corporation are joined as defendants in this adversary proceeding.
3. The formal case caption in this adversary proceeding shall be amended to reflect the foregoing change in parties.
4. All references in the Second Amended Complaint (Dkt. No. 49) to BMO Capital Markets Corp., Jefferies Group LLC, and Merrill, Lynch, Pierce, Fenner & Smith, Inc. shall be construed to refer to BMO Capital Markets GKST Inc., Jefferies LLC, and Bank of America Corporation, respectively.
5. Nothing in this Order shall expand, increase, diminish, modify, or otherwise alter the rights, obligations, interests, claims, defenses, property rights, or privileges of (i) the Trust or the Trustee set forth in the Amended Plan, Confirmation Order, or the Trust Agreement, or (ii) BMO Capital Markets GKST Inc., Jefferies LLC, or Bank of America

² All capitalized terms that are not otherwise defined in this Order shall have the meanings given to them in the Motion.

³ Federal Rule of Civil Procedure 21 is made applicable to this adversary proceeding pursuant to Federal Rule of Bankruptcy Procedure 7021 and section 310 of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. § 2170).

Corporation from those previously associated with or pertaining to BMO Capital

Markets Corp., Jefferies Group LLC, and Merrill, Lynch, Pierce, Fenner & Smith, Inc.

This Order resolves Dkt. No. 57.

SO ORDERED.

/s/ Judith Gail Dein

Judith Gail Dein

United States Magistrate Judge

DATED: November 1, 2022